PIONEER HI-BRED INTERNATIONAL, INC. CORPORATE INTELLECTUAL PROPERTY DEPARTMENT

FAX TRANSMISSION

RECEIVED **CENTRAL FAX CENTER**

FEB 1 8 2005

7100 N.W. 62nd Avenue P.O. Box 1000 Johnston, Iowa 50131-1000

Phone: (515) 254-2823

Fax: (515) 334-6883

TO:

Mail Stop Amendment

Commissioner for Patents

FROM:

Steven Callistein

RE:

Soybean Variety XB32Y04

Serial No. 10/768,508

DATE:

2-18-05

FAX NUMBER: 703-872-9306

NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 13

COMMENTS:

- 1. Certificate of Facsimile (1 page)
- 2. Amendment (12 pages)

The contents of this facsimile are or may be attorney privileged and/or confidential and are intended only for the use of the recipient identified above. If the reader of this message is not the identified recipient, or the employee or agent responsible for delivering it to the identified recipient, you are hereby notified that any dissemination or use of this communication is unlawful and strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to the sender at the above address via the U.S. Postal Service. Anyone so cooperating will be reimbursed for the reasonable expense incurred.

If there is a problem with transmission or illegible pages, please contact the sender or (515) 334-6845.

PTC/SB/97 (08-03)

Approved for use through 07/31/2006, OMB 6834031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unitess it contains a valid DMB control number

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on February 18, 2005. Date

Steven J. Callistein Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1. Cert of Fax 1 copy
- 2. Amendment 1 copy

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete his form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED CENTRAL FAX CENTER

FEB 1 8 2005

Case No. 1812

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/768,508

Confirmation No. 6886

Applicant

Bruce M. Luzzi

Filed

January 30, 2004

TC/A.U.

1638

Examiner

David H. Kruse

Docket No.

1812

Customer No.

27310

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office action of November 18, 2004, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Remarks/Arguments begin on page 5 of this paper.